



MALHEUR NATIONAL FOREST

Forest Order # 2015-0604-MAL-02C



FIRE RESTRICTIONS

MALHEUR NATIONAL FOREST

Pursuant to 36 CFR, Sec. 261.50(a) and (b), the following acts are prohibited on all areas within the Malheur National Forest and the Snow Mountain District of the Ochoco National Forest beginning 00:01, August 21st, 2015, until further notice:

1. It is prohibited to build, tend or maintain a campfire, including fires with charcoal briquette fires (Liquid and bottled gas stoves only). **(36 CFR 261.52 (a))**
2. It is prohibited to operate an internal combustion engine, except motor vehicles.
Chainsaw Use Prohibited **(36 CFR 261.52 (h))**
3. Smoking is prohibited, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material. **(36 CFR 261.52 (d)).**
4. No off-road/off-trail vehicle travel or travel on roads not cleared of standing grass or other flammable material; no vehicle travel on those FS roads where access has been impeded or blocked by earthen berm, logs, boulders, barrier, barricade or gate, or as otherwise identified in the Fire Order. **(36 CFR 261.56)**

Pursuant to 36 CFR, Sec. 261.50(e), the following persons are exempt from this order:

- (1.) Persons with a permit specifically authorizing the prohibited act or omission.
- (2.) Any Federal, State or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Done at John Day, Oregon, this 19th day of August, 2015.

Steven K. Beverlin
Forest Supervisor
Malheur National Forest

Violation of these prohibitions is punishable by a fine of not more than \$5000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571)



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Assessment of Need and Enforcement Plan

1. Background:

These restrictions have been deemed necessary because of increasingly dry fire conditions on the forest.

2. Intent of Subpart B Order:

These temporary restrictions are intended to reduce the occurrence of human caused wildfires.

3. Enforcement Plan:

This order will be enforceable by LEOs, FPOs and Special agents. Education will be emphasized during the initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Officers will normally not issue citations unless the affected areas are adequately posted. Evening patrols will be emphasized, especially on weekends.

5. Posting:

The forest and district staff is responsible for posting this order in a reasonable manner.

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Appropriate Staff with LEI input	08/18/15
Review proposed order	Patrol Captain	08/18/15
Approve proposed order	Forest Supervisor	8/19/15
Post order in accordance with 36 CFR 261.51	District Staff Officer and Staff	8/19/15
Prepare news release for local media describing the order and management objectives	PAO	8/19/15
Education will be emphasized during initial implementation phase of this order. Officers will exercise normal discretion in resolving violations. Officers will normally not issue citations unless the affected areas are adequately posted. Evening patrols will be emphasized, especially on weekends.	Law Enforcement Personnel/Forest Protection Officers	Upon Approval

Steven K. Beverlin
Forest Supervisor

/S/ Robert Field

R. W. Field
Patrol Captain